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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA — SAN JOSE DIVISION

13 MICHAEL AYRES,  
14 Plaintiff,  
15 vs.  
16 EQUIFAX INC.; et. al.,  
17 Defendants.

Federal Case No.: 5:17-CV-05417-LHK

**PLAINTIFF'S NOTICE OF VOLUNTARY  
DISMISSAL OF DEFENDANT ABILITY  
RECOVERY SERVICES PURSUANT TO  
FEDERAL RULE OF CIVIL  
PROCEDURE 41(A)(1)**

20 **PLEASE TAKE NOTICE** that Plaintiff Michael Ayres, pursuant to Federal Rule of Civil  
21 Procedure 41(a)(1), hereby voluntarily dismisses Defendant Ability Recovery Services as to all  
22 claims in this action, *without* prejudice.

23 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

24 41(a) Voluntary Dismissal

25 (1) By the Plaintiff

26 (a) Without a Court Order. Subject to Rules 23(3), 23.1(c), 23.2, and 66 and any  
27 applicable federal statute, the plaintiff may dismiss an action without a court  
28 order by filing:

1 a notice of dismissal before the opposing party serves either an answer or a  
2 motion for summary judgment.

3 Defendant Ability Recovery Services has neither answered Plaintiff's Complaint, nor filed  
4 a motion for summary judgment. Accordingly, the matter may be dismissed against it for all  
5 purposes and without an Order of the Court.

6 Dated: May 9, 2018

Sagaria Law, P.C.

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8 By: /s/ Elliot W. Gale

9 Elliot W. Gale

Attorneys for Plaintiff

10 Michael Ayres  
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